

**DEMAS LAW GROUP, P.C.**

John N. Demas, Attorney at Law, SBN 161563  
Tim S. Spangler, Attorney at Law, SBN 168163  
701 Howe Avenue, Suite A-1  
Sacramento, CA 95825  
Tel: (916) 444-0100  
Fax: (916) 444-8250

Attorney for Plaintiff,  
JASON HARTMAN

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JASON HARTMAN,

Plaintiff,

v.

UNITED STATES OF AMERICA;  
COUNTY OF BUTTE; and CLINT  
MOFFIT,

Defendants.

No. 2:20-cv-1492 KJM DB

**STIPULATION AND PROTECTIVE  
ORDER RE: SECOND DEPOSITIONS  
OF WITNESSES PREVIOUSLY  
DEPOSED**

IT IS HEREBY STIPULATED by and between the parties, *through their respective counsel of record*:

1. Defendant Clint Moffit was not a party to the case at the time that multiple depositions were taken in this matter. As a result, Defendant Moffit has the right to take the depositions of individuals who were deposed before he was a party to the case.

2. The parties seek to place reasonable limitations on the scope of these further depositions.

3. With respect to counsel for parties who previously had an opportunity to question the deponent, the parties agree that counsel may not question the witness regarding matters on which the deponent was previously questioned at his or her first deposition, except for questions designed to reasonably follow up on, or clarify, testimony on such matters elicited through questioning by counsel for Defendant Clint Moffit. Counsel may question the witness regarding matters or events occurring after the date of the first deposition. This stipulation is not intended to limit counsel defending the deposition from making objections that he or she deems necessary and appropriate.

4. With respect to counsel for Clint Moffit, counsel will carefully review the prior deposition testimony of all deponents who are to be re-deposed and use reasonable efforts to avoid questioning the deponent regarding matters that were previously covered, except for questions reasonably designed to follow up on, or clarify, matters on which the deponent was previously questioned, or to direct the question more specifically toward the interests of Mr. Moffit. Counsel may question the witness regarding matters or events occurring after the date of the first deposition. This stipulation is not intended to limit counsel defending the deposition from making objections that he or she deems necessary and appropriate.

SO STIPULATED.

DATED: May 15, 2023

DEMAS LAW GROUP, P.C.

BY: /s/ Tim S. Spangler  
Tim S. Spangler  
Attorney for Plaintiff  
JASON HARTMAN

///

///

///

1 Date: May 18, 2023

PORTER | SCOTT  
A PROFESSIONAL CORPORATION

2  
3  
4 BY: /s/ William E. Camy  
William E. Camy  
5 Matthew W. Gross  
6 Attorneys for Defendant  
COUNTY OF BUTTE  
7

8  
9 Date: May 15, 2023

UNITED STATES ATTORNEY

10  
11 BY: /s/ Brendon L.S. Hansen  
12 Rachel R. Davidson  
13 Brendon L.S. Hansen  
14 Attorneys for Defendant  
UNITED STATES OF AMERICA  
15

16 Date: May 15, 2023

HAWKINS PARNELL & YOUNG, LLP

17  
18  
19 BY: /s/ Jennifer J. Capabianco  
20 Jennifer J. Capabianco  
21 Attorneys for Defendant  
UNITED STATES OF AMERICA

22 Date: May 15, 2023

KOELLER NEBEKER CARLSON HALUCK  
23 LLP

24  
25 BY: /s/ Kimberly J. Black  
26 Kimberly J. Black  
27 Attorneys for Defendant  
CLINT MOFFITT  
28

**ORDER**

Having reviewed the above stipulation, and good cause appearing, it is hereby ordered as follows:

1. As to counsel for all parties other than Clint Moffit: Counsel may not question the witness regarding matters on which the deponent was previously questioned at his or her first deposition, except for questions designed to reasonably follow up on, or clarify, testimony on such matters elicited through questioning by counsel for Defendant Clint Moffit.

2. As to counsel for Clint Moffitt: Counsel will carefully review the prior deposition testimony of all deponents who are to be re-deposed and use reasonable efforts to avoid questioning the deponent regarding matters that were previously covered, except for questions reasonably designed to follow up on, or clarify, matters on which the deponent was previously questioned, or to direct the question more specifically toward the interests of Mr. Moffit.

3. All Counsel may question the witness regarding matters or events occurring after the date of the first deposition.

4. Counsel defending the deposition is not limited in making objections that he or she deems necessary and appropriate.

**IT IS SO ORDERED.**

DATED: May 18 2023

/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE